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SUBJECT: DEPORTEES TO TONGA: A FESTERING PROBLEM. ACTION
REQUEST

REF: SUVA 97

Criminals adrift without a safety net

11. (U) On each of the Ambassador's three visits to Tonga in the past six months, the issue of deportees from the U.S. has arisen early and often. Tongans blame the deportees, described as hardened criminals, for turning their once-docile kingdom into a crime zone where armed robberies, once unheard of, are now happening. While we cannot attest that deportees from the U.S. are the sole cause of serious crime in Tonga, it is certainly plausible that some are contributing. Embassy statistics for 2004 and 2005 show that the U.S. sent Tonga 57 deportees during that period, about one every two weeks. In China, that would not ripple the pond; in Tonga's population of 100,000, those few can create turmoil. From our statistics, 49 carried criminal convictions; 8 were returned only for immigration violations.

12. (U) A U.S. Ph.D. researcher, who has chosen Tongan deportees as his thesis topic and has spent months mixing with them, describes a worrisome situation. Most all in the researcher's informal survey are men. Many were still very young when they traveled to the U.S. with their families, often on NIVs. When the deportees arrive back in Tonga, after running afoul of U.S. authorities, they often no longer speak Tongan; their relatives in Tonga do not accept them; churches, Tonga's safety net to the extent there is one, offer almost no help and neither does the Tonga Government. The only community returnees often find is their fellow deportees. An NGO, Iron Man Ministries, has been established in Tonga to work with deportees; but it gets mixed reviews: kudos for its intentions; concerns about its leadership and management.

Official complaints about U.S.-trained criminals

13. (SBU) Tonga's Crown Prince, Acting Prime Minister, and Police Minister have all expressed concerns and have asked if the U.S. can in some way help resolve the deportee problem. They propose that factors in the U.S. caused the Tongan youth to take up crime, so the U.S. should help Tonga solve the problem. The Police Minister unrealistically asked if the young men couldn't just be kept in the U.S. where they fit in better.

Convict in U.S.; imprison in Tonga?

14. (SBU) The Crown Prince took a different tack. He said a part of the Tonga Government's problem is that many deportees arrive with no further punishment due them, so Tonga's judicial/penal system has no authority to supervise or incarcerate them. The Crown Prince asked if the U.S. and

Tonga could negotiate a formal agreement under which any Tongan to be deported would be convicted in the U.S., but with his sentence to be served in Tonga's prison. We note that at least a few of the deportees have only committed the offense of overstaying on an NIV, though it does appear many have served sentences for felonies.

Prisoner-exchange treaty?

15. (U) When we mentioned the concept of a prisoner-exchange treaty, the Crown Prince showed interest, but mused that some U.S. NGO activists, who dislike Tonga's government, might allege that trials of U.S. citizens in Tonga courts are on "political" charges, thereby complicating any Tonga-to-U.S. exchange. (Note: very few American citizens come before Tonga criminal courts. The courts, with expatriate judges at the senior levels have a reputation for integrity. For instance, in February, the Speaker of Tonga's Parliament, a Noble of the Realm, was convicted in a jury trial for interfering with Customs officers and was thereafter stripped of his titles.) An open question is whether Tongans in the U.S., with few remaining ties back home, would opt to serve sentences in Tonga. Another uncertainty is whether the Tonga Government, in the end, would be prepared to shoulder the costs of incarceration for a fair number of additional prisoners from the U.S.

Invoking Churches? Mormons and Methodists

16. (U) According to the Ph.D. researcher, more than half the deportees in his survey come from Mormon families, usually from Utah or California. (The Mormon Church claims 45% of Tongans are members; most sources have listed Tonga's dominant religion as Free Wesleyan Methodists.) Given the

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Mormon connection, we met with the LDS leader in Tonga to inquire if his Church has a safety net for Mormon deportees. We also hope to discuss the issue with Free Wesleyan leaders.

The Mormon leader noted that his Church has in place a mechanism for helping troubled members. He acknowledged, though, that the Mormon Church has assisted few deportees. He suggested one reason is that nobody has provided information to the Church about new arrivals. If given a list, the Church might approach arriving deportees perceived to be Mormons to offer assistance. (Note: the information we provide Tonga authorities on arriving deportees has no indication of religious affiliation; however, in Tonga a mere list of names would likely be sufficient for churches to recognize lost members.) We subsequently conferred with Tonga Immigration. Its Director said he would be able to provide names of deportees to Church leaders, if the leaders were to ask. To date, none have.

Action request

17. (U) We do not claim expertise on the U.S. end of the Tongan-deportee issue. If Washington players have any ideas which might help address the problem at either end of the conduit, including by the Government of Tonga and concerned Tongans, we would be glad to do our part to facilitate. If a prisoner-exchange treaty or some other formal mechanism might assist, again we stand ready to foster negotiations. The deportee issue casts a negative light on U.S.-Tonga relations, a circumstance we would like to help remedy if possible.

DINGER